IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Judge's Order No.45 of 2007
In
Execution Application No.252 of 2004
In
Arbitration Application No.11 of 2003

M/s.Kotak Mahindra Bank Ltd. .. Applicants
v/s.
Mr.Sanjay M. Shah. .. .. Respondent
A n d
HDFC Ltd. .. .. Intervenors

Mr.K.P. Sreejith i/by M/s.Sreejis Lal for Applicants.

CORAM : SMT.R.S. DALVI, J.

DATED : 15th March, 2007

P.C. :

1. An Award has been passed. It is being executed. The flat of the Respondent being flat No.201/A, Ratna Tarang, Old Nagardas Road, Andheri (E), Mumbai 400069 has come to be attached. In the proceedings in execution it was sought to be sold. Its valuation was to be made. It is stated that the said flat was found locked. Hence, the Applicants have taken out the Judge's order for taking forcible possession of the said flat from the Respondent or any other person found in possession of the said flat or by breaking open the lock with the help of the Police, if necessary.

2. At present, Judge’s Order is not passed. The Applicants shall take the photographs of the aforesaid premises and the Bailiff shall first seal the flat and make a report to Court.

3. Judge’s Order is adjourned to 12th April 2007.

(Smt.R.S. Dalvi, J.)